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SIPDIS

DEPARTMENT FOR EUR/SE

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SUBJECT: GOT CANCELS PLAN TO EXPROPRIATE BAHAI PROPERTY

Classified by Charge Robert Deutsch; reasons 1.5 (b) and (d).

1. (SBU) Summary: Local officials in Edirne canceled an order to expropriate a site sacred to followers of the Baha'i faith, apparently ending a 10-year dispute over the property. Baha'i contacts in Ankara and Istanbul said high-level GOT officials asked for the cancellation. End Summary.

Baha'i Seek NSC Support

2. (C) Representatives of Turkey's Baha'i Community learned in November that local authorities in Edirne were taking the Community to court in order to seize the title of a property sacred to the Baha'i, who claim about 10,000 adherents in Turkey. The court case threatened to bring an end to the Baha'i's long-running efforts to regain ownership of the property, a former home of the Baha'i prophet Baha'u'llah. The Culture Ministry granted cultural heritage status to the site in 1993, but the Education Ministry in 2000 notified the Baha'i Community that it intended to expropriate the property for use by an adjacent primary school. The property had been tied up in legal disputes ever since. Cuneyt Can, Baha'i Community External Affairs Representative, told Embassy Poloff that Community members contacted retired former National Security Council (NSC) Secretary General Kilinc when they learned of the latest court case, scheduled for December 11. Kilinc said he would line up support for the Baha'i within the NSC, which has opposed the Baha'i at times in the past, and promised to contact Justice Minister Cicek and other top GOT officials.

Expropriation Canceled

3. (C) While it is not clear what role Kilinc may have played, Baha'i leaders heard from various sources that FM Gul discussed the property issue with Education Minister Celik during a joint trip to Kayseri in November. Gul reportedly told Celik he wanted the matter resolved. In early December Baha'i Community representatives met with Celik, who called the Edirne Governor on the spot and asked him if the Baha'i property was needed for the adjacent school. When the Governor said it wasn't, Celik asked him to rescind the expropriation order.

4. (U) Can said it now appears that the Baha'i Community will be able to complete its plans for improving the property, essentially a small garden with some remains of the original home. Lawyers for the Baha'i have a copy of the Edirne City Council's unanimous decision to rescind the expropriation order, and municipal officials have contacted the Community to begin the process of retrieving the money the municipality gave to the Community as compensation for the planned expropriation. According to Baha'i attorneys, the prosecutor in the expropriation case stated at the December 11 hearing that the case should be dismissed -- the Baha'i are awaiting a written record of a court decision to dismiss. Once the Baha'i Community formally regains ownership of the site, it plans to improve the garden and build a two-story visitors center on the property.

Thanks for U.S. Support

5. (SBU) Speaking to Consulate Istanbul Poloff, Susan Merter, Baha'i Community Secretary General, thanked the U.S. Mission for its support throughout the 10-year impasse. Merter felt

strongly that visits to the Edirne site by USG officials had demonstrated to the GOT the human rights aspect of the expropriation. Merter said U.S. efforts had encouraged other missions in Turkey to support the Baha'i. Can said one MFA official said he hoped the resolution of the dispute would help improve Turkey's image in the Department's International Religious Freedom Report.

Comment

16. (C) The property dispute reflects the Turkish State's deep suspicion of non-Muslim religions, as well as its all-encompassing concept of national security. While Kilinc may have played a positive role in this latest development, at least one previous effort to resolve the issue was quashed when, according to Baha'i contacts, the NSC ruled against it. Meanwhile, the Baha'i continue to raise concerns on other fronts, including efforts to regain expropriated property in Istanbul and to have "Baha'i" included among the religions listed on birth certificates.

EDELMAN